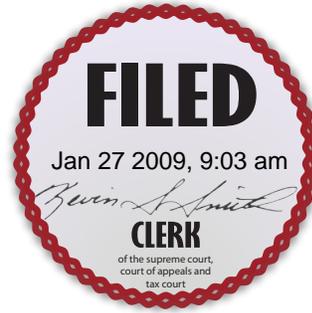


Pursuant to Ind.Appellate Rule 65(D), this Memorandum Decision shall not be regarded as precedent or cited before any court except for the purpose of establishing the defense of res judicata, collateral estoppel, or the law of the case.



ATTORNEY FOR APPELLANT:

ATTORNEYS FOR APPELLEE:

**DONALD W. PAGOS**  
Michigan City, Indian

**GREGORY F. ZOELLER**  
Attorney General of Indiana  
Indianapolis, Indiana

**GARY DAMON SECREST**  
Deputy Attorney General  
Indianapolis, Indiana

---

**IN THE  
COURT OF APPEALS OF INDIANA**

---

CALVIN JOHNSON, )  
 )  
Appellant-Defendant, )  
 )  
vs. )  
 )  
STATE OF INDIANA, )  
 )  
Appellee-Plaintiff. )

No. 46A05-0806-CR-336

---

APPEAL FROM THE LAPORTE SUPERIOR COURT  
The Honorable Kathleen B. Lang, Judge  
Cause No. 46D01-0702-FA-23

---

**JANUARY 27, 2009**

**MEMORANDUM DECISION - NOT FOR PUBLICATION**

**SHARPBACK, Senior Judge**

Calvin Johnson appeals his conviction of possession of cocaine with intent to deliver, a class A felony. We affirm.

The sole issue for our review is whether there is sufficient evidence to support the conviction.

The facts most favorable to the verdict reveal that during a routine traffic stop on February 11, 2007, Michigan City Police Officer Matthew Barr noticed several torn-off ends of baggies on the floor near passenger Johnson's feet. A search of Johnson revealed 10.96 grams of crack cocaine, which included eleven small rocks of cocaine that were individually packaged; more than \$9,000.00 that was separated into increments of \$1,000.00 and wrapped in rubber bands; and several rings. During a police interview, Johnson admitted that he had been selling drugs to support his habit for two to three months before being arrested. Johnson was charged with possession of cocaine with intent to deliver as a class A felony.

At trial, Officer Robert Grant testified that drug dealers take small amounts of the larger rock of cocaine and place the small amounts in the corners of plastic baggies. According to Officer Grant, the cocaine found in Johnson's possession was packaged in a way that was consistent with the distribution of the drug. Officer Barr testified that possession of jewelry is also evidence of dealing because users who do not have money will trade their jewelry for drugs. A jury convicted Johnson as charged, and he appeals.

Johnson argues that there is insufficient evidence to support his conviction. Specifically, his sole contention is that there is insufficient evidence that he possessed the

cocaine with intent to deliver it. Our standard of review for sufficiency of the evidence is well settled. We neither reweigh the evidence nor judge the credibility of witnesses. *Davis v. State*, 791 N.E.2d 266, 269 (Ind. Ct. App. 2003), *trans. denied*. We consider only the evidence most favorable to the judgment, together with all reasonable and logical inferences that can be drawn therefrom. *Id.* at 269-270. We will affirm the conviction if there is substantial evidence of probative value to support the trier of fact's conclusion. *Id.* at 270.

Circumstantial evidence showing possession with intent to deliver may support a conviction. *Id.* Possession a large amount of a narcotic substance is circumstantial evidence of intent to deliver. *Id.* The more narcotics a person possesses, the stronger the inference that he intended to deliver it and not consume it personally. *Id.* Further, individually wrapped packets create an inference that the narcotics were packaged for sale rather than personal use. *Id.*

Here, our review of the evidence reveals that Johnson was riding in a car with several torn-off ends of baggies on the floor near his feet. He had 10.96 grams of crack cocaine on his person, which included several small rocks of cocaine that were individually packaged. He also had more than \$9,000.00 on his person that was separated into increments of \$1,000.00 and wrapped in rubber bands as well as several rings. During a police interview, Johnson admitted that he had been selling drugs to support his about for two to three months before he was arrested. This evidence is

sufficient to show that Johnson possessed the cocaine with intent to deliver it. There is sufficient evidence to support his conviction.

Affirmed.

BAKER, C.J., and KIRSCH, J., concur.